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pose they are given power to manage the property, sell land, or convey the latter or any part thereof as the testator might himself do, is sustained in *Re Lueft* (Wis.) 7 L.R.A.(N. S.) 263, where, without the mortgage, the income does not exceed the necessary expenses of maintaining the estate, while by means of it sufficient to maintain the son will be secured.

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**Deportation of Insane Persons.**—In *State v. Superior Court*, 88 Pacific Reporter, 207, the Supreme Court of Washington holds the law of that state relating to the deportation of insane persons invalid as being incapable of judicial enforcement, remarking that, notwithstanding the court might direct the sheriff to deport prisoners to their home in an adjoining state, the officer's powers would cease immediately on his crossing the state boundary, so that to that extent the court's decree would be incapable of complete enforcement.

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**Liability of Carrier for Injury to Passenger Riding on Pass.**—Passes may be tatooed by our legislature, but, nevertheless, persons will occasionally be found riding on them, and in *Bradburn v. Whatcom County Railway & Light Company*, 88 Pacific Reporter, 1020, the Supreme Court of Washington holds that a carrier is liable for injuries to a passenger riding on a pass in violation of law at the time of the injury, the same as it would be to a passenger paying fare; citing *Buffalo, etc., R. Co. v. O'Hara*, 9 American & English Railroad Cases, 317.

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**Transfer Tax.**—The proceeds of an insurance policy issued by a New York company to a resident of New Jersey, in which latter state the company has an agent on whom process may be served, is by the New York Court of Appeals in *Re Gordon's Estate*, 79 Northeastern Reporter, 722, held not subject to the New York transfer tax, principally on the ground that the proceeds of the policy could be collected by suit in New Jersey without invoking the aid of the New York courts.

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**Use of National Flag for Advertising.**—The United States Supreme Court in *Halter v. State*, 27 Supreme Court Reporter, 419, upholds as constitutional the Nebraska law of 1903 making it a misdemeanor to use representations of the national flag upon articles of merchandise for advertising purposes, thus, in effect overruling *Rubstrat v. People*, 185 Ill. 133, 57 Northeastern Reporter, 41, and *People ex rel. McPike v. Vandecarr*, 178 N. Y. 425, 70 Northeastern Reporter, 965.

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**State Statute Prohibiting Transportation of Water to Another State.**—Cities located near state boundary line often draw their water supply from the lakes and rivers of the neighboring state. Where a city is exceptionally large the water supply for domestic purposes of

the state from which the water is taken may be threatened. To prevent any such emergency the state of New Jersey, near whose boundary lines are located two of our largest cities, has enacted a law making it unlawful for any one to transport through pipes, conduits, etc., the water of any fresh water lake, pond, or stream into any other state. The constitutionality of this statute was upheld by the New Jersey Court of Errors and Appeals in *McCarter v. Hudson County Water Company*, 65 Atlantic Reporter, 489.

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**Transporting Children to School as Providing "School Facilities."**

—A statute, requiring school boards "to provide suitable school facilities and accommodations," does not require school boards to provide for the transportation of children living remote from the school-house, according to the decisions of the New Jersey Court of Errors and Appeals in *Board of Education of Frelinghuysen Tp. v. Atwood*, 65 Atlantic Reporter, 999.

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**Liability of Team Owner for Collision with Street Car.**—If a driver of a wagon permits a boy to handle the lines while the driver is in the discharge of the business of the owner of the wagon, and a collision with a street car is occasioned by the boy's negligence, and a passenger on the car is injured in the accident, the owner of the wagon is liable for the boy's negligence, according to the decision of the New York Supreme Court in *Bamberg v. International Ry. Co.*, 103 New York Supplement, 297. The court distinguished the case at bar from cases in which it has been held that no liability attached, on the ground that in such cases the third person actually driving was not engaged in the owner's business at the time of the accident.

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**Admissibility of Carbon Copy as Original Evidence.**—The Supreme Court of Pennsylvania, in *Cole v. Elwood Power Co.*, 65 Atlantic Reporter, 678, holds that where an original paper and a carbon copy are made on a typewriter at the same time, signed by the same officers, executed in the same manner, and in every respect duplicates, both may be considered as originals, and either is admissible in evidence without notice to produce the other. The same conclusion was arrived at in Virginia. *Carolina Clem Co. v. Knight*. June No. p. 123.

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**Alien's Right to Hold Property.**—The Washington Supreme Court, in *Abrams v. State*, 88 Pacific Reporter, 327, construes the provisions of the state Constitution, which prohibits the ownership of land by aliens, except where acquired by inheritance, under mortgage in good faith, or in the ordinary course of justice in the collection of debts, and provides in general that conveyances to aliens shall be void. Under this provision the state may, where lands are conveyed to an alien, have the same declared escheated; but if the state fails to do